IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.865 OF 2006
AND
CHAMBER SUMMONS NO.866 OF 2006
IN
EXECUTION APPLICATION NO.71 OF 2006

Agarwal Packaging Pvt.Ltd., ..Plaintiffs

V/s.

Chemstar Organics (India) P.Ltd. & Anr...Defendants

Mr.R.V.Govilkar i/by Milind More for the plaintiffs.

Mr.Jaideep Mikra i/by Ms.Seema R Sharma for defendant nos.1 & 2.

Coram : R.S.Mohite,J

Date : 10.10.2006.

PC

1. These 2 Chamber summons are for stopping the execution of an ex-parte decree. Chamber summons would not be maintainable. The proper remedy would be to challenge the decree. Advocate for defendant nos.1 & 2 states that he would withdraw these Chamber summons with liberty to file a fresh one in case decree is stayed or set aside. Both the Chamber summons are therefore, dismissed with liberty to file afresh in aforesaid contingencies. Parties to maintain status-quo for a period of 2 weeks.

(R.S.Mohite,J)